

Document #4864

2/5/87

Text Amendment Application No. _____
Boston Redevelopment Authority
Greenbelt Protection Overlay District

TO THE ZONING COMMISSION OF THE CITY OF BOSTON

The Boston Redevelopment Authority petitions to amend the text of the Boston Zoning Code by inserting after Article 37, the following Article:

Article 38

GREENBELT PROTECTION OVERLAY DISTRICT

SECTION 38-1. Statement of Purpose. The purposes of this article are to preserve and protect the amenities of the City of Boston; to preserve and enhance air quality by protecting the supply of vegetation and open space along the city's greenbelt roadways; to enhance and protect the natural scenic resources of the city; ~~and~~ to protect the city's greenbelt roadways from traffic congestion; *and other public + community interests*

SECTION 38-2. Definitions. For the purposes of this article only, the following words and phrases, when capitalized, shall have the meanings indicated.

1. "Applicant" shall mean any person or entity having a legal or equitable interest in a Proposed Project subject to the requirements of this article, as set forth in Section 38-3 and 38-5.
2. "Greenbelt Roadway" shall mean any landscaped roadway or major thoroughfare characterized by open space or landscaping along its right-of-way or used primarily by noncommercial or pleasure vehicles.

3. "Proposed Project" shall mean any construction, reconstruction, rehabilitation, or alteration of a structure for which the Applicant is required to obtain a building permit.
4. "Residential Uses" shall mean use item numbers 1, 1A, 2, 3, 4, 5, 6, 7, 7A, 7B, 8, and 10, as described in Table A of Section 8-7.
5. "Substantially Rehabilitate" shall mean all .

SECTION 38-3. General Requirements and Procedures. A Greenbelt Protection Overlay District ("GPOD") shall be established through a zoning map amendment and shall be a minimum of five acres. To designate an area as a GPOD, the following procedures shall be followed.

1. Boston Redevelopment Authority shall make a recommendation to the Zoning Commission that a Greenbelt Roadway and its surrounding area should be designated GPOD in order to protect the open space and aesthetic character of the area and to promote the purposes set forth in this article.
2. Upon a favorable recommendation by the Boston Redevelopment Authority, the Zoning Commission may designate an area as a GPOD.
3. If an area is designated as a GPOD, an applicant for any Proposed Project subject to the requirements of this shall seek a conditional use permit pursuant to the procedures set forth in Article 6.

SECTION 38-4. Applicability. Any Applicant seeking a building permit for exterior construction or alteration for a Proposed Project within a Greenbelt Protection Overlay District a type of special purpose overlay district described in Section 3-1A, shall be subject to the requirements of this article if the Applicant seeks to erect a building or structure having a gross floor area in excess of five thousand (5,000) square feet; to enlarge or extend a building or structure so as to increase its gross floor area by more than five thousand (5,000) square feet; or to Substantially Rehabilitate a building or structure having, or to have after rehabilitation, a gross floor area of more than five thousand (5,000) square feet; or to increase the impervious surface of a site by greater than two thousand (2,000) square feet beyond the existing impervious surface.

SECTION 38-5. Specific Requirements. The following specific requirements shall apply to any Proposed Project included under Section 38-4 within a Greenbelt Protection Overlay District:

1. The Applicant shall submit a site plan to the Boston Redevelopment Authority showing location, height and massing of all structures. Further design submissions may be required in accordance with the Authority in Design Review Procedures.
2. The Applicant shall submit a landscaping plan that shows the landscaping surrounding structures and parking areas and shows the extent of the area of all impervious surfaces. The plan shall show compliance with the following requirements, including: (a) no clearing of vegetation shall be permitted within 25 feet of the right-of-way Greenbelt roadway except for clearing necessary to provide utilities and access to the site; and

(b) all parking shall use existing vegetation or installed landscaping to screen pavement and vehicles from the Greenbelt Roadway and from adjacent properties.

3. Where a Proposed Project shall generate two hundred or greater vehicular trips per day, the Applicant shall be required to submit a traffic impact analysis.

SECTION 38-6. Standards. To obtain a conditional use permit the applicant must show compliance with the following standards: (a) the Project provides for adequate vehicular access, off-street parking and loading and shall not have a significant adverse effect on traffic and parking on the Greenbelt parkway and adjacent streets; (b) the Project provide for landscaping treatment that ensured that the natural and aesthetic quality of the Greenbelt parkway area will be maintained; (c) the Projects for the design of all structures that is compatible with surrounding neighborhood.

SECTION 38-7. Enforcement. The Commission of Inspectional Services shall not issue any building permit for exterior construction or alteration for a Proposed Project subject to this article unless the Proposed Project complies with this article.

SECTION 38-8. Severability. If any provision or section of this article shall be held invalid by court of competent jurisdiction, such provision or section

shall be deemed to be separate and apart from the remaining provisions of this article, and such remaining provisions and sections shall continue in full force and effect.

Petitioner: Boston Redevelopment Authority

By: Stephen Coyle, Director

Address: Boston City Hall, 9th Floor
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Telephone: 722-4300, ext. 281

Date: _____

MEMORANDUM

FEBRUARY 5, 1987

TO: BOSTON REDEVELOPMENT AUTHORITY AND
STEPHEN COYLE, DIRECTOR

FROM: LINDA BOURQUE, ASSISTANT DIRECTOR FOR
NEIGHBORHOOD PLANNING AND ZONING
EDITH NETTER, SPECIAL COUNSEL

SUBJECT: REQUEST AUTHORIZATION TO PETITION THE ZONING COMMISSION
TO ADOPT THE GREENBELT PROTECTION OVERLAY DISTRICT
TEXT AMENDMENT AND MAP AMENDMENTS

Boston is characterized by several roadways that serve not only as vehicular access, but as greenbelts or parkways through neighborhoods. Several of these roadways are under the jurisdiction of the Metropolitan District Commission which manages right-of-way improvements and traffic. Portions of the abutting land also are owned and protected as open space by the MDC and other public agencies. There is not, however, adequate protection of other privately owned land bounding these greenbelts in terms of protecting the aesthetic quality of entire areas and open space features, minimizing traffic and congestion impacts, and promoting design that complements rather than detracts from the greenbelts.

The proposed Greenbelt Protection Overlay District provides such protection by establishing standards for review and approval of projects which have a new, expanded, or substantially rehabilitated gross floor area of over 5,000 square feet, which increase the impervious surface of an area by over 2,000 square feet or which generate over 200 vehicle trips per day. If a project is included under these thresholds, the applicant must submit landscaping, design and access plans to the Authority for approval. A conditional use permit would then have to be sought from the Board of Appeal based on the Authority's recommendations.

The following five roadways are recommended to be adopted as Greenbelt Protection Overlay Districts. In recommending these particular areas, it is understood that additional areas may be subsequently proposed for adoption.

1. William J. Day Boulevard*, Dorchester
from Kosciuszko Circle to Gardner Way
2. Veterans of Foreign Wars Parkway*, West Roxbury
from Parklawn Road to Town of Dedham line
3. American Legion Highway*, Roslindale
from Blue Hill Avenue to Cummins Highway

4. Jamaicaway*, Jamaica Plain
from Huntington Avenue to Prince Street Rotary

5. Arborway*, Jamaica Plain
from Centre Street to Morton Street

Q. Not Only Only

*Boundary of GPOD includes 500 feet from either side of the center line of the right-of-way.

Staff feels that adoption of this Greenbelt Protection Overlay District is important to protecting the aesthetic quality of the City for the use and enjoyment of residents and recommends that the above-referenced roadways be adopted as the first GPODs.

An appropriate vote follows:

VOTED: That the Director is hereby authorized to petition the Zoning Commission to adopt the text amendment to establish a Greenbelt Protection Overlay District in substantial accord with the petition submitted to the Authority at its meeting on February 5, 1987.

VOTED: That the Director is hereby authorized to petition the Zoning Commission to adopt map amendments to establish William J. Day Boulevard, Veterans of Foreign Wars Highway, American Legion Highway, the Jamaicaway, and Arborway as Greenbelt Protection Overlay Districts in substantial accord with the boundaries submitted to the Authority at its meeting on February 5, 1987.